

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-13 are pending. Claims 1 and 11 are amended. Support for the amendments to Claims 1 and 11 can be found in the original specification at page 5 and in Table 1, for example. Claim 13 is newly added. Support for newly added Claim 13 can be found in original Claim 1 and in Table 1 in combination with the discussion of Table 1 on page 5 of the specification, for example. No new matter is added.

In the outstanding Office Action, Claims 1-3, 6, and 9-12 were rejected under 35 U.S.C. § 103(a) as obvious over Riboud (U.S. Patent No. 3,417,418, herein “Riboud”) in view of Wood (U.S. Patent No. 5,763,038, herein “Wood”). Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as obvious over Riboud in view of Wood and Shizuno et al. (U.S. Patent Pub. 2003/0088928, herein “Shizuno”). Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as obvious over Riboud and Wood in view of Hukuba (U.S. Patent No. 5,548,861, herein “Hukuba”).

Regarding the rejection of Claims 1-3, 6, and 9-12 as obvious over Riboud in view of Wood, that rejection is respectfully traversed by the present response.

Independent Claim 1 recites, in part:

An adhesive roll cleaner comprising:
a core tube including a plurality of adhesive tapes,
...
each of the adhesive tapes being wound with a gap of
prescribed width between every adjacent turn, and
the adhesive tapes having different widths, the adhesive
tape which is located at an upper layer having a larger width than
that of the adhesive tape which is located at a lower layer,
wherein a width of gap between each turn continuously
increases from an innermost layer with respect to the core tube,
to an outermost layer, with respect to the core tube.

Accordingly, the adhesive tapes have different widths. The adhesive tape located at the upper layer having a larger width than that of the adhesive tape which is located at the lower layer. Gaps are disposed between adjacent turns. The gaps increase in size from an innermost layer to an outermost layer.

The outstanding Office Action relies on Riboud for the feature of a gap between tapes.¹ However, as noted in the outstanding Office Action, Riboud does not teach or suggest that the sheets vary in width. Nor does Riboud teach or suggest that width of the gap between the sheets increases from an innermost layer to an outermost layer. In column 2, paragraphs 1 and 5, Riboud merely mentions a "space" left between the sheets. Riboud does not teach or suggest that the space has different sizes on the same roll, much that the size of an inner space between the sheets is smaller than the size of an outer space between the sheets.

Nor does Wood teach a width of gap between each tape continuously increases from an innermost layer with respect to the core tube, to an outermost layer as recited in amended independent Claim 1. Rather, as shown in Fig. 2, Wood describes a roll with no gaps between the sheets.

The outstanding Office Action relies on Shizuno for the feature of a gap of a specific size and for a tear strength of 500 mN or greater as measured with an Elmendorf tear test.² However, Shizuno does not teach or suggest that a size of the gap changes between the sheets. Accordingly, Shizuno fails to remedy the deficiencies discussed above regarding Riboud and Wood.

¹ Outstanding Office Action, pages 2-3.

² Outstanding Office Action, page 6.

The outstanding Office Action relies on Hukuba for the feature of a mark indicative of a peel position.³ However, Hukuba fails to remedy the deficiencies of Riboud, Wood, and Shizuno. Instead, Hukuba fails to teach or suggest gaps between the sheets.

Accordingly, Applicants respectfully submit that amended independent Claim 1 and the claims depending therefrom patentably distinguish over any proper combination of the cited references for at least the reasons discussed above.

Amended independent Claim 11 and newly added independent Claim 13 recite substantially similar features to those discussed above, and Applicants respectfully submit that these independent claims and Claim 12, which depends from Claim 11 patentably distinguish over any proper combination of Riboud, Wood, Shizuno, and Hukuba for at least the same reasons as amended Claim 1 does.

Additionally, the outstanding Office Action cites MPEP § 2144.04 and asserts, in the Response to Arguments section, that the difference in widths recited in independent Claim 1 carries no patentable weight because it is merely a change in shape. However, Applicants respectfully submit that MPEP § 2144.04 states:

B. Changes in Shape

In re Dailey, 357 F.2d 669, 149 USPQ 47 (CCPA 1966) (The court held that the configuration of the claimed disposable plastic nursing container was a matter of choice which a person of ordinary skill in the art would have found obvious absent persuasive evidence that the particular configuration of the claimed container was significant.).

One non-limiting embodiment of the above-noted feature is shown in Fig. 2 where W1 indicates a width at a lower layer. W2 is a width of a layer above the layer of width W1. W3 is a width corresponding to an uppermost layer. W3 is larger than W2. W2 is larger than W1.

³ Outstanding Office Action, page 7.

One benefit of the above-noted arrangement is that, when a user peels off a soiled outermost adhesive tape to expose a fresh adhesive surface, the underlying adhesive tape is effectively prevented from accompanying the tape being peeled off. Thus, the risk of double peeling is reduced.⁴ Accordingly, the specific shape recited in independent Claim 1 is significant inasmuch as it provides a specific benefit. Applicants respectfully note that the "significance" mentioned in the quote from Dailey refers to whether the shape provides some benefit over other shapes in general and does not require that the shape provide a benefit over **all** other shapes. Thus, the different widths of sheets recited in Claim 1 should be given patentable weight, and, as none of the cited references teaches or suggests this feature, Claim 1 further patentably distinguishes over any reasonable combination of Riboud, Wood, Shizuno, and Hukuba.

Newly added independent Claim 13 recites, in part:

each of the adhesive tapes being helically wound around the core tube at an angle of winding and in a layered configuration with the adhesive portion facing outward with respect to the core tube ...
the angle of winding increases from the lower layer to the upper layer.

None of Riboud, Wood, Shizuno, and Hukuba teaches or suggests that **an angle of winding increases from the lower layer to the upper layer**. Accordingly, newly added independent Claim 13 even further patentably distinguishes over the cited references for this additional reason.

⁴ See published specification, numbered paragraph [0015].

Consequently, in light of the above-discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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